

REMARKS

Claims 15-47 are all the claims pending in the application, claims 1-14 having been canceled as indicated herein.¹ Claims 1-47 are rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by Shimura et al. (US Patent Application Publication No. 2004/0141765).

As a preliminary matter, Applicants have amended the independent claims to eliminate minor grammatical and idiomatic errors. Clearly, these amendments do not alter the scope of the claims and do not raise any estoppel issues.

With respect to independent claim 15, Applicants submit that Shimura does not teach or suggest “when said image formation request is not newly received after said elapsed time, measured by said timer, has reached a first predetermined period, said optimization is executed.” Even if, *arguendo*, Shimura generally teaches “optimization,” Shimura does not teach or suggest the particular timing in which the claimed optimization is executed. Therefore, at least based on the foregoing, Applicants submit that Shimura does not anticipate or render obvious claim 15.

Applicants submit that independent claims 23, 24, 29, 30, 37, 43, and 46 are patentable at least for reasons similar to those set forth above with respect to independent claim 15. Furthermore, Applicants submit that dependent claims 16-22, 25-28, 31-36, 38-42, 44, 45, and 47 are patentable at least by virtue of their dependencies.

¹ Applicants representatives remind the Examiner that the Examiner indicated during a telephonic discussion that claim 47, although not specifically identified on the Office Action summary page, is addressed on page 8 of the Office Action. The Examiner indicated that she would send a corrected Office Action summary page, however no corrected summary page has been received. Accordingly, Applicants’ representatives respectfully request that the Examiner identify the correct number of pending claims in the next office paper.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: May 11, 2005